

May 18, 2015

United States Environmental Protection Agency - Region 2
DECA - PTSB - Toxic Substances (MS-105)
2890 Woodbridge Avenue (MS-105)
Edison, New Jersey 08837

Attn.: Susan Schulz, Chief

**Re: 16th Quarterly Status Report
PCB Remedial Action
Arsynco, Inc. Site
Carlstadt, New Jersey**

Dear Ms. Schulz:

In accordance with Section 5 of the USEPA's *Approval for Risk-Based Clean-up/Disposal of Polychlorinated Biphenyl Remediation Waste* for the Arsynco site, which became effective on July 21, 2009 (the "EPA Approval"), the following provides the 16th Quarterly Status Report for the PCB remedial action at the Arsynco facility.

The following activities/actions have occurred in relation to the site since the last Status Report was submitted to EPA on January 9, 2014:

- The PCB remediation project requires several permits from NJDEP, including a Waterfront Development Permit (upland), an Individual Flood Hazard Area Permit, and a NJDEP Section 401 Water Quality Certificate, and Arsynco previously prepared and filed the applications for these permits. NJDEP completed an initial review of the permit applications and requested additional information from Arsynco. Arsynco recently made several revisions and edits to the permit applications and made additional submittals to NJDEP. Arsynco is currently awaiting NJDEP's formal response to the permit package and permit approvals.
- Arsynco prepared and submitted an application for a Nationwide General Permit Number 38 (NWP-38) to the United States Army Corps of Engineers (USACOE). Approval of the required site work under the NWP-38 was issued by USACOE on April 22, 2015 (Permit Application Number NAN-2015-00255). A copy of the NWP-38 approval from USACOE is attached for your records.
- Arsynco has determined the proposed location of the "Consolidated Material TSCA Disposal Area" which must be submitted to EPA in accordance with the Section 3.D) of the Approval. The proposed location of the "Consolidated Material TSCA Disposal Area" will be submitted to EPA shortly under separate cover.

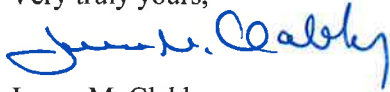
- Arsynco has conducted continued operation of the NJDEP-approved in-situ air sparge and soil vapor extraction (AS/SVE) treatment system that was installed on the site. This system is for the in-situ remediation of volatile organic compound (VOC) contamination present in shallow soil and groundwater. System operation commenced in December 2014, and operation, maintenance, and monitoring operations have continued.
- Arsynco installed and sampled two (2) additional deep monitoring wells on the site in relation to additional vertical and horizontal delineation of VOC contamination in a deeper, confined aquifer at the site.
- Arsynco prepared and filed a permit application with NJDEP for a New Jersey Pollutant Discharge Elimination System (NJPDES) permit to allow for the discharge of treated groundwater to surface water in relation to common dewatering activities that will be necessary during the upcoming remedial excavation program for the PCB contaminated soils at the site. Arsynco has also commenced preparation of the Treatment Work Approval (TWA) application that will be required by NJDEP for the treatment and discharge of groundwater from the dewatering program that will be conducted.
- Arsynco conducted a test pit program on the site to assist with the visual delineation and quantification of soil types that will be handled during the PCB remedial excavation program. For example, it was discovered that one area containing soils that will require remediation under the EPA Approval also potentially contained remnants of a RCRA D003 material (Raney Nickel). Test pits were installed to visually delineate this area so that estimated quantities could be determined and appropriate segregation of soils could be performed during the future remedial action.
- Arsynco reviewed the extensive amount of PCB grid soil sample data and prepared detailed plans and drawings of the required PCB remedial activities that will be conducted under the EPA Approval. These plans and drawings were then used as the basis for preparing the bid specification package for the remedial program.
- Arsynco prepared a bid specification package for the PCB remediation program to be conducted under the EPA Approval and sent the package to various contractors that were invited to bid on the project. Arsynco subsequently held a bid walk meeting at the site with the remediation contractors interested in submitting bids on the remediation work. Arsynco expects to begin receiving and reviewing contractor bids for the PCB remediation work in the coming weeks.
- As noted in the last Status Report, Arsynco received a letter from EPA that provided EPA's comments on the financial assurance documents previously submitted by Arsynco. On January 6, 2012, Arsynco submitted an e-mail reply to EPA's letter. The e-mail response was submitted to Ms. Vickie Pane, of EPA, and requested clarification and specificity on EPA's comments to ensure that Arsynco's responses would fully satisfy EPA's requirements. On January 10, 2012, Arsynco submitted a second e-mail to Ms. Pane that provided a signed version of the letter of credit, which addressed one of the comments contained in EPA's October 2011 letter, and again requested a response from EPA clarifying the inquiries stated in the January 6, 2012 e-mail. As of the date of this letter, no response has been received from EPA on these issues.

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The approval of the remaining financial surety issues is critical to allow the PCB remediation program at this site to move forward. Therefore, Arsynco respectfully requests EPA's timely review and response to the remaining financial surety questions.

Should you have any questions or require additional information regarding this matter, please feel free to contact me at (732) 295-2144.

Very truly yours,



James M. Clabby
President

enclosure

cc: James Haklar, USEPA (Toxic Section, Region 2), via email
Jay Nickerson, NJDEP (Site Remediation Program), via email
Sam Abdellatif, USEPA (Haz. Waste Programs Branch, Region 2), via email



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

APR 22 2015

Regulatory Branch

SUBJECT: Permit Application Number NAN-2015-00255 by Arsynco, Inc. c/o ACETO Corporation, Former Arsynco Facility, Carlstadt, Bergen County, NJ

Amec Foster Wheeler
C/o Mr. Charles R. Harman
285 Davidson Avenue, Suite 405
Somerset, New Jersey 08873

Dear Mr. Harman:

On March 3, 2015, the New York District of the U.S. Army Corps of Engineers received a request from Amec Foster Wheeler, on behalf of Arsynco, Inc. c/o ACETO Corporation for Department of the Army authorization to discharge fill material into waters of the United States to facilitate remedial cleanup activities in accordance with an approved New Jersey Department of Environmental Protection remedial action work plan under the Licensed Site Remediation Professionals (LSRP) program. The LSRP for the project is JMC Environmental Consultants, and the Arsynco, Inc. facility is located in the Borough of Carlstadt, Bergen County, New Jersey.

The subsequent attached submittal drawings entitled "Site Location Map", Figure 1, dated September 29, 2013, "Grading and Storm Drainage Plan, Arsynco Site, Borough of Carlstadt, Bergen County, New Jersey", Sheet C1, "Ditch and Re-Grading Plan and Profile, Arsynco Site, Borough of Carlstadt, Bergen County, New Jersey", Sheet C2, prepared by Elm Site Solutions, Inc., dated July 6, 2014, and last revised February 12, 2015, "Conceptual Cofferdam Diagram", prepared by Amec Foster Wheeler, Environmental Infrastructure, dated April 1, 2015, and "Planting Plan", Sheet P-01, prepared by KKW and Associates, LLC, indicate that the remedial cleanup activities would take place within two tracts on the subject site. Regulated cleanup activities within Tract 1 would include the excavation of approximately 351 cubic yards of contaminated sediments from a 655 linear foot long unnamed tidal drainage ditch that drains to Nevertouch Creek (a tidal tributary of Berry's Creek). Contaminated sediments would be excavated from the drainage ditch by a land excavator and disposed of at a state approved upland site. Upon completion of the excavation activities within the Tract 1 drainage ditch, the open ditch would be re-graded and lined with an impermeable barrier layer along its entire 655 linear foot length (0.25 acre). As part of the proposed remedial cleanup excavation activities, a temporary 20-foot long by 35-foot wide sandbag coffer dam would be installed at the east end of the drainage ditch to control the flow of water to and from the Tract 1 area. Upon completion of the excavation activities, the coffer dam would be removed from the waterway and the materials disposed of at a state approved upland site.

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Regulated remedial cleanup activities within Tract 2 would include the excavation of approximately 5,314 cubic yards of contaminated sediments to a depth of 2 to 3 feet within 0.37 acres of the unnamed drainage ditch (which extends into Tract 2) and approximately 1.73 acres of abutting tidal emergent wetlands. A temporary 20-foot long by 35-foot wide sandbag coffer dam would be installed at the northeast end of the unnamed drainage ditch to control the flow of water to and from the Tract 2 area. Upon completion of the excavation activities, the coffer dam would be removed from the waterway and the materials and excavated sediments disposed of at a state approved upland site. Clean fill material would be placed within the remediated tidal emergent wetland areas of Tract 2, and the drainage ditch to preconstruction elevations, and the wetland area planted with native hydrophytic vegetation were appropriate.

Based on the information submitted to this office, and accomplishment of notification in accordance with the applicable federal requirements, our review of the project indicates that an individual permit is not required. It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 38. The nationwide permits are prescribed as a Reissuance of Nationwide Permits in the Federal Register dated February 21, 2012 (77 FR 10184). The work may be performed without further authorization from this office provided the activity complies with the permit conditions listed in Section B, No. 38, Section C, any applicable regional conditions, and the following special condition.

Special Conditions

(A) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District.

Care should be taken so that construction materials, including debris, do not enter any waterway to become drift or pollution hazards. You are to contact the appropriate state and local government officials to ensure that the subject work is performed in compliance with their requirements.

Please note that this nationwide permit (NWP) verification is based on a preliminary jurisdictional determination (JD). A preliminary JD is not appealable. If you wish, prior to

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commencement of the authorized work you may request an approved JD, which may be appealed, by contacting the New York District, U.S. Army Corps of Engineers for further instruction. To assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review U.S. Army Corps of Engineers Regulatory Guidance Letter No. 08-02, which can be found at:

<http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl08-02.pdf>

This verification is valid until March 18, 2017, unless the nationwide permit is modified, reissued, or revoked. This verification will remain valid until March 18, 2017, if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in such a way that the activity would no longer comply with the terms and conditions of a nationwide permit, and the proposed activity has commenced, or is under contract to commence, the permittee shall have 12 months from the date of such action to complete the activity.

This authorization is conditional on the applicant's receipt of the required water quality certificate and coastal zone management concurrence or waiver from the New Jersey Department of Environmental Protection (NJDEP). No work may be accomplished until the required approval from NJDEP has been obtained.

Within 30 days of the completion of the activity authorized by this permit, you are to sign and submit the attached compliance certification form to this office.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

If any questions should arise concerning this matter, please contact James Cannon, of my staff, at (917) 790-8412.

Sincerely,



Christopher S. Mallery, Ph.D.
Deputy Chief, Regulatory Branch

Enclosures

cc: NJDEP
NJSEA